

MANAGEMENT MEMO

SUBJECT: HIRING FREEZE	NUMBER: 96-19
	DATE ISSUED: 7/19/96
	EXPIRES: June 30, 1997
REFERENCES: Executive Order W-134-96	ISSUING AGENCY: Department of Finance

On July 2, 1996, the Governor issued Executive Order W-134-96 (copy attached). This order extends the hiring freeze imposed under Executive Order W-126-95. The hiring freeze prohibits new hires regardless of the funding source for the position. Agency Secretaries and other cabinet level officers will be responsible for administering and ensuring compliance with the provisions of this Executive Order. For those departments which are not represented by a cabinet, the Department of Finance (DOF) will be responsible for administering and ensuring compliance. Any requests for exemption from provisions of the hiring freeze must be approved by the Agency Secretary or other cabinet level officer.

For the purpose of administering this hiring freeze, new hires to state government shall include:

1. Appointments of any persons not currently employed by the State, including permissive reinstatements, limited-term appointments, temporary authorization appointments (TAU), and retired annuitant appointments (unless on an emergency basis).
2. Increases in time base, unless the employee has prior permanent status in the higher time base (regardless of class) with no break in service.
3. Appointments of current employees to positions in addition to their current position(s).
4. Appointments of seasonal employees.
5. Appointments of permanent intermittent employees.

The following are excluded from the freeze:

1. Emergency appointments as specified by law.
2. Mandatory reinstatements.
3. Appointments of employees currently serving a TAU in a lieu of permanent appointment [includes transitions from the Limited Examination and Appointment Program to civil service].
4. Appointments to positions which are exempt from civil service.
5. Employees who are separated due to layoff and are, therefore, placed on "re-employment" lists are not to be considered new hires. Any employee meeting this criterion is excluded from the provisions of the hiring freeze.

6. Specified Legislative and Executive Branch exempt positions authorized in Chapter 26, Statutes of 1991.
7. Positions funded by the State Compensation Insurance Fund.
8. Transfers and promotions of current permanent or probationary employees.
9. Appointments to positions providing direct care treatment and custody in prisons, special schools, and hospitals.
10. Positions directly involved in producing state revenues.

Consistent with the purpose of the Executive Order, agencies are encouraged to make a good-faith effort to recruit from other agencies when making the above appointments. Additionally, increasing overtime should not be used to circumvent the hiring freeze to avoid filling vacant positions through transfer from another department.

Consistent with the Constitutional separation of powers, the provisions of the Executive Order do not apply to the Legislative and Judicial Branches of state government. However, these branches of government are encouraged to participate.

The University of California and the California State Universities are requested to comply with the provisions of the Executive Order. Participation, however, should be limited to a level that will not present them from meeting their general educational responsibilities.

Questions regarding this Management Memo should be directed to the appropriate Department of Finance Program Budget Manager.



CRAIG L. BROWN
Director
Department of Finance

Attachment

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